

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

May 13, 2002

2:00 p.m.

The Council of the City of Roanoke met in special session on Monday, May 13, 2002, at 2:00 p.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Resolution No. 35823-050602 adopted by Council on May 6, 2002.

PRESENT: Council Members William D. Bestpitch, William White, Sr., William H. Carder, W. Alvin Hudson, C. Nelson Harris and Mayor Ralph K. Smith--6.

ABSENT: Council Member Linda F. Wyatt-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

The Mayor advised that the purpose of the special meeting was to enact measures adopting the fiscal year 2002-03 budget for the City of Roanoke.

DIRECTOR OF FINANCE-BUDGET: The Director of Finance submitted a certificate advising that funds required for the 2002-03 General Fund, Water Fund, Water Pollution Control Fund, Civic Facilities Fund, Parking Fund, Capital Projects Fund, Department of Technology Fund, Fleet Management Fund, Risk Management Fund, School Fund, School Food Service Fund and Grant Fund budgets will be available for appropriation.

(For full text, see Certificate on file in the City Clerk's Office.)

Without objection by Council, the Mayor advised that the Certificate would be received and filed.

BUDGET: Mr. White offered the following emergency ordinance adopting the annual General Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$193,544,364.00:

(#35835-051302) AN ORDINANCE adopting the annual General Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 1.)

Mr. White moved the adoption of Ordinance No. 35835-051302. The motion was seconded by Mr. Carder.

David A. Diaz, President, Downtown Roanoke, Inc., advised that the City of Roanoke and Downtown Roanoke, Inc., have enjoyed a long working relationship, and as President of DRI he looks forward to continuing the relationship. He stated that the Downtown Plan was recently completed and expressed appreciation to the City of Roanoke for allowing DRI to oversee preparation of the Plan and the Board of Directors looks forward to its adoption. He further stated that E-Town and the Riverside Center for Research and Technology are projects that will support downtown Roanoke by encouraging high tech businesses in the downtown area. He added that the Riverside Center for Research and Technology is a key component to expanding the downtown which solidifies the partnership of the City and DRI and accentuates Roanoke and Virginia Tech as the two economic engines for the Roanoke Valley. He stated that the proposed new refuse collection fees in the Central Business District have been accepted, in general, by downtown businesses which appear to understand the rationale for the proposed fees which is to ensure equity for all. He called attention to discussions regarding initiation of a pilot project for compact trash collectors and to also encourage recycling in the Central Business District to help offset some of the costs of the new refuse collection fees. In summary, he stated that he looks forward to working with the City to improve downtown Roanoke and offered his assistance in that regard.

Rodney Jordan, representing the Roanoke Firefighters Association, expressed appreciation to Council for restoring the three firefighter suppression positions to the 2002-03 budget, and for Council's commitment to public safety, which decision could save lives. He stated that it was hoped that funding for all positions in the Fire/EMS Department could have been resolved; and funding for the Deputy Chief of Operations position could have gone toward the funding of two additional firefighters to help the City in moving toward its goal of meeting national standards. He explained that while the Fire Chief recognizes every NFPA standard, he has stated that City Council sets the standard for departmental staffing, therefore, he asked that Council consider NFPA standards on future decisions regarding Fire/EMS

staffing. He advised that the Firefighters Association will work to identify additional funds to help the City meet NFPA standards, in order to provide the citizens of Roanoke with the best possible protection and to make the jobs of firefighters as safe as possible.

Ordinance No. 35835-051302 was adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-WATER RESOURCES: Mr. Carder offered the following emergency ordinance adopting the annual Water Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$13,246,295.00:

(#35836-051302) AN ORDINANCE adopting the annual Water Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 6.)

Mr. Carder moved the adoption of Ordinance No. 35836-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

SEWERS AND STORM DRAINS-BUDGET: Mr. Carder offered the following emergency ordinance adopting the annual Sewage Treatment Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$10,698,200.00:

(#35837-051302) AN ORDINANCE adopting the annual Sewage Treatment Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 7.)

Mr. Carder moved the adoption of Ordinance No. 35837-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-ROANOKE CIVIC CENTER: Mr. Carder offered the following emergency ordinance adopting the annual Civic Center Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$5,735,254.00:

(#35838-051302) AN ORDINANCE adopting the annual Civic Center Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 8.)

Mr. Carder moved the adoption of Ordinance No. 35838-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-TRANSPORTATION FUND: Mr. Carder offered the following emergency ordinance adopting the annual Parking Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$2,438,171.00:

(#35839-051302) AN ORDINANCE adopting the annual Parking Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 9.)

Mr. Carder moved the adoption of Ordinance No. 35839-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-CAPITAL IMPROVEMENTS PROGRAM: Mr. Carder offered the following emergency ordinance adopting the annual Capital Projects Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$757,640.00.

(#35840-051302) AN ORDINANCE adopting the annual Capital Projects Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 11.)

Mr. Carder moved the adoption of Ordinance No. 35840-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-CITY INFORMATION SYSTEMS: Mr. Carder offered the following emergency ordinance adopting the annual Department of Technology Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$4,354,502.00.

(#35841-051302) AN ORDINANCE adopting the annual Department of Technology Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 12.)

Mr. Carder moved the adoption of Ordinance No. 35841-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FLEET MAINTENANCE FUND: Mr. Carder offered the following emergency ordinance adopting the annual Fleet Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$6,012,839.00:

(#35842-051302) AN ORDINANCE adopting the annual Fleet Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 13.)

Mr. Carder moved the adoption of Ordinance No. 35842-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-RISK MANAGEMENT FUND: Mr. Carder offered the following emergency ordinance adopting the annual Risk Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$12,401,096.00:

(#35843-051302) AN ORDINANCE adopting the annual Risk Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 14.)

Mr. Carder moved the adoption of Ordinance No. 35843-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-SCHOOLS: Mr. White offered the following emergency ordinance adopting the annual School Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$101,423,210.00:

(#35844-051302) AN ORDINANCE adopting the annual School Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 15.)

Mr. White moved the adoption of Ordinance No. 35844-051302. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-SCHOOLS: Mr. Carder offered the following emergency ordinance adopting the annual School Food Service Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$4,522,117.00:

(#35845-051302) AN ORDINANCE adopting the annual School Food Service Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 16.)

Mr. Carder moved the adoption of Ordinance No. 35845-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-GRANTS: Mr. Carder offered the following emergency ordinance adopting a portion of the annual Grant Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003, in the amount of \$179,673.00:

(#35846-051302) AN ORDINANCE adopting a portion of the annual Grant Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2002, and ending June 30, 2003; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 17.)

Mr. Carder moved the adoption of Ordinance No. 35846-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

POLICE DEPARTMENT-PAY PLAN-BUDGET-FIRE DEPARTMENT-CITY EMPLOYEES: Mr. Carder offered the following ordinance which will be in full force and effect on July 31, 2002:

(#35847-051302) AN ORDINANCE to adopt and establish a Pay Plan for officers and employees of the City, effective July 1, 2002; providing for certain salary adjustments and merit increases; authorizing annual salary increments for certain officers and employees for use of private motor vehicles; authorizing annual salary increments for sworn police officers assigned to the Criminal Investigation Division; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are certified as Emergency Medical Technicians; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are members of the Regional Hazardous Materials Response Team; providing for continuation of a police career enhancement

program; providing for continuation of a Firefighter/Emergency Medical Technician merit pay program; providing for payment of a monthly stipend to certain board and commission members; repealing Ordinance No. 35344-050701, adopted May 7, 2001, to the extent of any inconsistency; and providing for an emergency and effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 18.)

Mr. Carder moved the adoption of Ordinance No. 35847-051302. The motion was seconded by Mr. Hudson and adopted by the following vote.

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that in order to receive Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) funding, the U. S. Department of Housing and Urban Development (HUD) requires that entitlement localities such as the City of Roanoke submit a five-year Consolidated Plan and Annual Updates.

It was further advised that on April 11, 2002, Council received the proposed 2002-03 Annual Update as part of the Recommended Resource Allocation Plan; the draft Annual Update was made available for public review and comment for the 30-day period that began April 11 and ended May 10, 2002; opportunities for citizen input were provided at three public hearings held on January 10, March 28, and April 29, 2002; and to ensure that the City's HUD fiscal year begins on July 1, 2002, HUD must receive the Annual Update on May 15, 2002; and funding for FY 2002-03 would be available from the following sources:

New 2002-03 HUD Entitlements	\$ 3,068,000.00
Estimated 2002-03 Program Income	450,034.00
Estimated Prior Year Excess Program Income	316,766.00
Estimated Prior Year Carry-over	<u>633,432.00</u>
Total HUD Funds	\$ 4,468,232.00

It was explained that the \$4.5 million in HUD funds indicated above will leverage as much as an additional \$4.8 million in other public and private funding; thus, total investment in those activities included in the Annual Update will be approximately \$9.3 million; whereupon, the City Manager recommended that she be authorized to submit the 2002-03 Consolidated Plan Annual Update to HUD for review and approval.

Mr. Carder offered the following resolution:

(#35848-051302) A RESOLUTION authorizing the City Manager to submit an approved Annual Update to the Consolidated Plan for FY 2002-2003 to the United States Department of Housing and Urban Development (HUD) for final review and approval, and authorizing execution of the appropriate documents for the acceptance of such funding.

(For full text of Resolution, see Resolution Book No. 66, page 22.)

Mr. Carder moved the adoption of Resolution No. 35848-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Carder, Hudson, Harris and Mayor Smith-----4.

NAYS: None-----0.

(Council Member Wyatt was absent.)

(Council Members Bestpitch and White advised that they are required to abstain from voting, pursuant to HUD regulations.)

BUDGET-CAPITAL IMPROVEMENTS PROGRAM: The City Manager submitted a communication advising that the Capital Improvement Program (CIP) for Fiscal Years 2003-2007 is a plan recommended for approval by Council for capital expenditures to be incurred over the next five years, in order to address priority long-term capital needs of the City of Roanoke; and the CIP reflects the current status of projects which have previously been approved and funded by Council, plus three new recommended projects, and is a revision to the Fiscal Years 2002-2006 Capital Improvement Program approved by Council on June 18, 2001.

It was further advised that on April 15, 2002, Council received the proposed Capital Improvement Program for Fiscal Years 2003-2007 as part of the Recommended Resource Allocation Plan; the Capital Improvement Program for Fiscal Years 2003-2007 is comprised of capital projects, with an estimated cost of project completion totaling \$298,192,974.00; and three new projects are included in the total that requires additional funding of \$49,300,000.00:

Civic Center Improvements - Phase II - \$14,941,020.00 - General Obligation Bonds totaling \$14.3 million would be issued to fund the project, with debt service being funded from a 1.5% increase in the Admissions Tax, a 5% Capital Improvements Fee charged on admission to events at the Civic Facilities Complex, and additional revenue from Civic Facilities operations.

Fire/EMS Facility Improvements - \$947,640.00 - City Council recently approved a new EMS Fee Schedule that will generate additional revenue totaling \$147,640.00 in FY 2003. This revenue would be used to supplement \$800,000.00 currently included in the CIP for land acquisitions, design and partial cash funding of the first of three stations to be constructed. A future bond issue would be needed to fund construction costs, with the Fire-EMS revenues being used to repay the debt.

Water Pollution Control - \$35,000,000.00 - Council has been briefed on the need for plant improvements to enhance wet weather capacity. While the project is still in its early stages, total cost is estimated to be \$35 million, with Roanoke's share being approximately \$17.5 million. Financing details are still being discussed, but an estimated 30% increase in sewer rates in FY 2004 will be needed to fund the debt service payments required for this project.

The City Manager recommended that Council authorize the following:

Approve the following new capital projects recommended in the CIP update, requiring additional funding of \$49,300,000.00:

**Civic Center Improvements - Phase II
\$14,941,020.00**

**Fire/EMS Facility Improvements
\$947,640.00**

**Water Pollution Control (City share of
project cost \$17,500,000)
35,000,000.00**

Appropriate \$757,640.00 included in the FY 2002-03 budget to the respective capital project accounts established by the Director of Finance for the following projects:

\$150,000.00 in the FY 2002-03 Transfers to an account to be established in the Capital Projects Fund for Bridge Maintenance Projects

\$147,640.00 in the FY 2002-03 to Capital Project Account (008-530-9678) for Fire/EMS Facility Improvements Program

\$150,000.00 in the FY 2002-03 to Capital Project Account (008-530-9736) for NPDES Phase II - Stormwater Management

\$310,000.00 in the FY 2002-03 Transfers to an account to be established in the Capital Projects Fund for Transportation Projects

Mr. Carder offered the following resolution:

(#35849-051302) A RESOLUTION endorsing the update to the Capital Improvement Program submitted by the City Manager and Director of Finance by letter of May 13, 2002.

(For full text of Resolution, see Resolution Book No. 66, page 23.)

Mr. Carder moved the adoption of Resolution No. 35849-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

**NAYS: None-----0.
(Council Member Wyatt was absent.)**

CITY CODE-BUDGET-TAXES-ROANOKE CIVIC CENTER: The City Manager submitted a communication advising that funding for Phase II of improvements of the Civic Center facility is recommended in the FY 2002-03 budget, including construction of 32,000 square feet of new exhibit space, dressing rooms, kitchen facilities and other improvements that will attract new events and increase attendance; and total cost of Phase II is approximately \$14.9 million and a \$14.3 million bond issue is recommended to fund the project.

It was further advised that in order to generate adequate revenues to service debt on a future \$14.3 million bond issue that will support Phase II improvements to the Civic Center, a 1.5 per cent increase in the City's Admissions Tax rate city-wide is being recommended in the 2002-03 budget; and the City administration further recommends that Council request the 2003 General Assembly to allow a higher tax on civic facilities only.

The City Manager recommended that Council adopt a ordinance amending Section 32-217 of the Code of the City of Roanoke (1979) as amended, increasing the admissions tax to 6.5%.

Mr. Carder offered the following ordinance:

(#35850) AN ORDINANCE amending §32-217, Levied rate, of Article IX, Admissions tax, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to increase the admissions tax on the stated admission charge to any place of amusement or entertainment from five (5) per cent to six and one-half (6.5) per cent; dispensing with the second reading of this ordinance and providing for an effective date.

Mr. Carder moved the adoption of Ordinance No. 35850. The motion was seconded by Mr. Harris and lost by the following vote:

AYES: Council Members Bestpitch, White, Carder and Harris-----4.

NAYS: Council Member Hudson and Mayor Smith-----2.
(Council Member Wyatt was absent.)

Mr. Carder moved that Ordinance No. 35850 be amended by deleting the following words, "dispensing with the second reading of this ordinance". The motion was seconded by Mr. Bestpitch and adopted, Mayor Smith and Council Member Hudson voting no.

Mr. Carder moved that the following Ordinance be placed upon its first reading:

(#35850) An Ordinance amending §32-217, Levied rate, of Article IX, Admissions tax, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to increase the admissions tax on the stated admission charge to any place of amusement or entertainment from five (5) percent to six and one-half (6.5) percent; and providing for an effective date.

The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, and Harris-----4.

NAYS: Council Member Hudson and Mayor Smith-----2.
(Council Member Wyatt was absent.)

ZONING-BUDGET-SUBDIVISIONS-FEE COMPENDIUM: The City Manager submitted a communication advising that in developing the budget for Fiscal Year 2002-2003, City departments were asked to reduce their budgets to help make up for the losses in state aid and find ways to re-engineer services to generate cost savings for their departments; departments were also asked to look at their fee structures and, where feasible, propose fee schedule changes that recover the cost of providing services and maintain uniformity between Roanoke and other localities; and accordingly, an increase in various fees administered by the Planning Building and Development Department is proposed.

It was further advised that the Planning Building and Development Department has recently completed a benchmarking effort to compare fees for services with other communities, along with a review of estimated labor costs for services; current fees do not cover all expenses and have not been adjusted for approximately ten years; and the recommended fee schedule attempts to recover costs of providing services and be competitive with other municipalities.

It was stated that along with increases in current fees to cover costs associated with providing these services, the Planning Building and Development Department is also recommending a new fee regarding requests for zoning classifications, allowed uses, and zoning compliance verification at a rate of \$150.00 per request; currently, when financial lending institutions request information regarding zoning and building violations on certain properties they are preparing to close on, the City conducts the research and prepares a written report free of charge; and other localities charge a fee as high as \$200.00 to cover the costs associated with the verification process.

The City Manager recommended that Council adopt an ordinance to amend the City's Fee Compendium to reflect changes in various fees.

Mr. Carder offered the following ordinance:

(#35851) AN ORDINANCE amending certain fees and charges, establishing certain new fees and charges with regard to subdivision and zoning fees, and amending the Fee Compendium, dispensing with the second reading of this ordinance, and providing for an effective date.

Mr. Carder moved the adoption of Ordinance No. 35851. The motion was seconded by Mr. Bestpitch.

Mr. Hudson advised that based upon the volume of e-mails and concerns that have been expressed to him, he could not support the proposed increase in fees because to do so will have an adverse effect on economic development.

Upon question, the City Manager advised that fees have not been increased in the City of Roanoke for approximately 10-15 years. She stated that the gist of the expressed concerns suggest that the increases will impact affordable housing in the City of Roanoke; however, she stated that she did not believe that was an accurate statement inasmuch as the City has more than sufficient affordable housing and the assumption that the increase in fees will cause the elimination of jobs in the construction industry, or the implication that a first time home buyer will not be able to purchase a home, is unfounded. She explained that the larger fees pertain to subdivision development and since the bulk of the City is already developed, subdivision fees would not be an issue. She stated that staff has responded to the direction of Council that the City's fees should be in line with neighboring jurisdictions; and in view of the fact that there have been no increases in fees over the last 10 - 15 years, that is a reasonable explanation for the proposed increases.

The Mayor advised that Roanoke City is different from Roanoke County in that Roanoke City needs development, the increased rates will be a burden on land development, and to support the ordinance would be an anti-development vote. He stated that staff time required to service the applications should be funded through the City's economic development funds. He added that the City is challenged for revenue, and inquired if a compromise can be reached on proposed fees, because adjusting the fees all at one time will send a negative message to potential developers.

Mr. Bestpitch advised that from his perspective, the Roanoke Valley Home Builders Association does not appear to have a negative impression of the fees charged by Roanoke County and the City of Salem, and the fees that Roanoke City is being requested to approve are in line with the fees in Roanoke County and Salem. He stated that there are a number of instances in Roanoke City, where, rather than address the fees on an incremental basis over a three to five year period and enact moderate adjustments, the City has allowed the fees to remain at the status quo for a number of years and then enacted a large change all at once. He advised that it is hoped the City is moving in a direction which will preclude placing this Council and future Councils in similar positions. He explained that when considering the proposed fees as a percentage of the total cost of the product that is to be ultimately offered to the consumer, the proposed increases are minuscule.

The City Manager advised that the fees before Council address special conditions and exceptions, such as applications to the Board of Zoning Appeals for processing certain items, applications for variances, amendments to conditions of conditional rezoning, appeals to the Board of Zoning Appeals of the Zoning Administrator's decision, and applications for rezoning to a single residential district designation, etc. She stated that while the fees help to balance the budget, they are not the major balancer of the City's revenues, but were intended to bring the City more into conformity with surrounding jurisdictions; and it is proposed to assess fees hereafter on an annual basis. She advised that she does not view the recommended fees as a disincentive to economic development in the City of Roanoke, and as City Manager, she would not make a recommendation to Council that would be against economic development.

Mr. Bestpitch moved that Ordinance No. 35851 be amended to delete the language "and dispensing with the second reading of this ordinance". The motion was seconded by Mr. Carder and adopted, Mayor Smith and Council Member Hudson voting no.

Mr. Harris advised that Council has been in the budget process for approximately 60 days and the time to have proposed changes or compromises was during budget study workshops. He stated that the Mayor did not make his concerns known during that time; therefore, on that basis, he called for the question.

Ordinance No. 35851, on its first reading, was adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder and Harris-----4.

NAYS: Council Member Hudson and Mayor Smith-----2.
(Council Member Wyatt was absent.)

BUDGET-SIGNS/BILLBOARDS/AWNINGS-FEE COMPENDIUM: Mr. Carder offered the following resolution amending certain fees and charges with regard to sign permits, and amending the Fee Compendium, as follows, effective July 1, 2002:

Permanent Sign	\$50.00
----------------	---------

Temporary Sign	\$30.00
----------------	---------

(#35852-051302) A RESOLUTION amending certain fees and charges with regard to sign permits, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 24.)

Mr. Carder moved the adoption of Resolution No. 35852-051302. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-TAXES: The City Manager submitted a communication advising that in the process of developing the Fiscal Year 2002-03 budget, each department was asked to consider means by which they could reduce their overall budget by decreasing expenditures and/or increasing revenues, which would help to mitigate the impact of decreases in state aid and generate needed savings throughout the organization; in addition, departments were asked to review current revenue structures and determine if alterations would be possible or feasible to generate additional revenue and more closely mirror other localities; and a number of proposed revenue changes are incorporated in the Fiscal Year 2002-2003 budget, and are reflected in budget ordinances presented for adoption for Fiscal Year 2002-03.

Elimination of Seller's Discounts

The City Treasurer and Manager of Billings and Collections have recommended the elimination of the Seller's Discount on Cigarette Taxes as well as the Seller's Discount on Prepared Food and Beverage Tax. Currently, Roanoke provides a seven per cent discount on the Cigarette Tax and a three per cent discount on the Prepared Food and Beverage Tax. This discount originated as an incentive to vendors to help offset the administrative cost of remitting tax collections to the City Treasurer. This incentive to vendors is no longer deemed to be necessary to promote vendor compliance. Based on a review of seven designated benchmark localities, Roanoke is one of five localities that offers a discount on the Cigarette Tax and one of four localities that offers a discount on the Prepared Food and Beverage Tax.

New Fees Authorized by the 2002 General Assembly

Senate Bill Number 693 has authorized localities to assess a sum not to exceed \$5.00 as part of the costs in each criminal or traffic case in which the defendant is convicted of a violation of any statute or ordinance. This sum is to be used to support courthouse security; however, these provisions expire on July 1, 2004.

Senate Bill Number 406 has authorized localities to charge a processing fee not to exceed \$25.00 to any individual admitted to a county or city jail following conviction. The funds are to be used by the local sheriff's office to defray the costs of processing arrested persons into local jails.

The General Assembly of Virginia has amended and reenacted the Code of Virginia to provide for required collection and DNA analysis of blood, saliva, or tissue of every person convicted of a felony offense. A fee of \$25.00 will be assessed as part of the costs of the criminal case resulting in the felony conviction and one-half of the fee will be paid to the General Fund of the state treasury. No action by the City is necessary for this fee to be implemented.

New Fees Authorized by the Code of Virginia

The Code of Virginia provides that any city may collect administrative costs associated with debts submitted to the Department of Taxation for the Set-off Debt Collection Program. The Code provides for a fee of \$25.00 per claim. Roanoke submits 31,000 claims per year to the State Department of Taxation as part of the set-off debt collection program, however, payment of the claims is dependent on whether the debtor files a tax return and has a refund that is not "offset" by other creditors or localities. The \$25.00 fee per claim will offset the four per cent administrative fee charged by the Commonwealth of Virginia for the set-off debt collection program. The Department of Billings and Collections recommends the institution of a fee of \$25.00 per claim.

The Code of Virginia also provides that any locality may collect a fee to cover the administrative costs of tax collection. The Code sets the fee at \$25.00 for taxes collected subsequent to judgment and at \$20.00 for taxes collected subsequent to filing a warrant or other legal document prior to judgment. The Department of Billings and Collection recommends the institution of the \$20.00 and \$25.00 fees for offset of administrative costs of delinquent tax collection.

Weed Lien Administrative Fee

Currently the City of Roanoke charges a \$100.00 administrative fee for the necessary abatement of weeds on private lots. The Code of Virginia allows for a fee of \$150.00 or 25% of the cost, whichever is less. The Department of Billings and Collections recommends that the Weed Lien Administrative Fee be adjusted to be in accordance with the Code of Virginia.

Interest Accrual Date for Delinquent Real Estate Tax

A change in the interest accrual date for delinquent real estate tax is recommended to be consistent with personal property tax. Currently, the first installment of current fiscal year Real Estate Tax is due October 5. A ten per cent late payment penalty is applied on October 6 if the tax remains unpaid, and interest charges begin accruing on July 1 of the next year. The second installment for the current fiscal year is due April 5 of the next year. A ten per cent late payment penalty is added on April 6 and interest charges do not begin until July 1. With personal property tax, interest begins accruing the first of the month following the tax due date. It is recommended that interest be applied to delinquent payments of real estate tax to begin accruing the first of the month following the tax due date, consistent with the method used for personal property.

Late Payment Penalty for Parking Tickets

Currently the late payment penalty for parking violations is \$10.00 and has remained at this level for a minimum of 20 years. The late payment penalty is added to violations paid ten days or more after issuance of the notice of violation. Since 1993, the fine for parking violations has

increased twice with no parallel increase in the late payment penalty for those fines. The Department of Billings and Collections recommends the increase of the Late Payment penalty for Parking Tickets from \$10.00 to \$15.00.

The City Manager recommended that Council adopt ordinances amending the City Code to reflect the above described changes in various discounts, fees, interest accrual dates and fines.

Mr. Carder offered the following ordinance:

(#35853-051302) AN ORDINANCE amending §32-192, Preparation and sale of stamps generally, of Article VIII, Cigarette tax, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to eliminate the discount for local cigarette dealers with respect to the purchase of tax stamps as currently provided in that section; dispensing with the second reading of this ordinance; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 25.)

Mr. Carder moved the adoption of Ordinance No. 35853-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-TAXES: Mr. Carder offered the following ordinance repealing §32-291, Discount, of Article XIV, Tax on Prepared Food and Beverage, in order to eliminate the discount currently provided for sellers as compensation for the collection of taxes imposed by Article XIV, effective July 1, 2002.

(#35854-051302) AN ORDINANCE repealing §32-291, Discount, of Article XIV, Tax on Prepared Food and Beverage, in order to eliminate the discount currently provided for sellers as compensation for the collection of taxes imposed by this Article; dispensing with the second reading of this ordinance; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 26.)

Mr. Carder moved the adoption of Ordinance No. 35854-051302. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson and Harris -----5.

NAYS: Mayor Smith-----1.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-FEE COMPENDIUM-COURTS FACILITY: Mr. Carder offered the following ordinance amending Chapter 1, General Administration, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-21, Courtroom security assessment, providing for assessment by the City of a fee to provide funding of courthouse security personnel, pursuant to §53.1-120, Code of Virginia (1950), as amended, effective July 1, 2002.

(#35855-051302) AN ORDINANCE amending Chapter 1, General Administration, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-21, Courtroom security assessment, providing for assessment by the City of a fee to provide funding of courthouse security personnel, pursuant to §53.1-120, Code of Virginia (1950), as amended; dispensing with the second reading of this ordinance; and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 27.)

Mr. Carder moved the adoption of Ordinance No. 35855-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-CITY SHERIFF-FEE COMPENDIUM: Mr. Carder offered the following ordinance amending Chapter 1, General Administration, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-22, Jail processing fee, providing for assessment by the City of a fee to provide funding to defray the costs incurred by the Sheriff's Department in processing arrested persons into local jails, pursuant to §15.2-1613.1, Code of Virginia (1950), as amended, effective July 1, 2002.

(#35856-051302) AN ORDINANCE amending Chapter 1, General Administration, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-22, Jail processing fee, providing for assessment by the City of a fee to provide funding to defray the costs incurred by the Sheriff's Department in processing arrested persons into local jails, pursuant to §15.2-1613.1, Code of Virginia (1950), as amended; dispensing with the second reading of this ordinance and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 28.)

Mr. Carder moved the adoption of Ordinance No. 35856-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-BILLINGS AND COLLECTIONS-FEE COMPENDIUM-SET-OFF DEBT COLLECTION: Mr. Carder offered the following ordinance amending Chapter 2, Administration, Article VIII, Finance generally, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-178.3, Recovery of administrative costs, providing for collection by the City of certain administrative costs associated with collection pursuant to the Setoff Debt Collection Act on any debt owed the City, such fee not to exceed \$25.00, pursuant to §58.1-520.1, Code of Virginia (1950), as amended; effective July 1, 2002.

(#35857-051302) AN ORDINANCE amending Chapter 2, Administration, Article VIII, Finance generally, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §1-178.3, Recovery of administrative costs, providing for collection by the City of certain administrative costs associated with collection pursuant to the Setoff Debt Collection Act on any debt owed the City, such fee not to exceed \$25.00, pursuant to §58.1-520.1, Code of Virginia (1950), as amended; dispensing with the second reading of this ordinance and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 28.)

Mr. Carder moved the adoption of Ordinance No. 35857-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-TAXES-DELINQUENT TAXES-REFUSE COLLECTION-WEED ABATEMENT PROGRAM: Mr. Carder offered the following ordinance amending Chapter 2, Administration, Article VIII, Finance generally, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §2-178.4, Assessment of delinquent taxpayers for administrative costs, providing for collection by the City of certain administrative costs to be assessed against delinquent taxpayers to defray costs associated with the collection process pursuant to §58.1-3958, Code of Virginia (1950), as amended; amending §33-22, Accounting for abatement costs, Article II, Weed and trash abatement, of Chapter 33, Vegetation and Trash, with respect to charges for administrative costs incurred in trash abatement, effective July 1, 2002.

(#35858-051302) AN ORDINANCE amending Chapter 2, Administration, Article VIII, Finance generally, of the Code of the City of Roanoke (1979), as amended, by the addition of a new §2-178.4, Assessment of delinquent taxpayers for administrative costs, providing for collection by the City of certain administrative costs to be assessed against delinquent taxpayers to defray costs associated with the collection process pursuant to §58.1-3958, Code of Virginia (1950), as amended; amending §33-22, Accounting for abatement costs, Article II, Weed and trash abatement, of Chapter 33, Vegetation and Trash, with respect to charges for administrative costs incurred in trash abatement; and dispensing with the second reading of this ordinance and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 29.)

Mr. Carder moved the adoption of Ordinance No. 35858-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-TAXES-DELINQUENT TAXES-REAL ESTATE VALUATION: Mr. Carder offered the following ordinance amending §32-19, Penalty and interest on delinquencies - Generally, of Article II, Real Estate Taxes Generally, of Division II, Generally of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to change the time of commencement for calculating

interest on delinquent real estate taxes from July first of the tax year next following that for which such taxes are assessed to the first day of the month following the month in which such taxes are due, effective July 1, 2002.

(#35859-051302) AN ORDINANCE amending §32-19, Penalty and interest on delinquencies - Generally, of Article II, Real Estate Taxes Generally, of Division II, Generally of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended, in order to change the time of commencement for calculating interest on delinquent real estate taxes from July first of the tax year next following that for which such taxes are assessed to the first day of the month following the month in which such taxes are due; dispensing with the second reading of this ordinance and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 31.)

Mr. Carder moved the adoption of Ordinance No. 35859-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

CITY CODE-BUDGET-FEE COMPENDIUM-DISABLED PERSONS-PARKING FACILITIES-TRAFFIC: Mr. Carder offered the following ordinance amending and reordaining subsection (e) of §20-76, Parking spaces reserved for persons with disabilities, of the Code of the City of Roanoke (1979), as amended, and §20-89, Penalties for unlawful parking, of the Code of the City of Roanoke (1979), as amended, the amended sections to provide for an increase of certain penalties, and adjustment of certain other penalties, for unlawful parking within the City of Roanoke, effective July 1, 2002.

(#35860-051302) AN ORDINANCE amending and reordaining subsection (e) of §20-76, Parking spaces reserved for persons with disabilities, of the Code of the City of Roanoke (1979), as amended, and §20-89, Penalties for unlawful parking, of the Code of the City of Roanoke (1979), as amended, the amended sections to provide for increase of certain penalties, and the adjustment of certain others, for unlawful parking within the City of Roanoke; and providing for an emergency and for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 32.)

Mr. Carder moved the adoption of Ordinance No. 35860-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FIRE DEPARTMENT-FEE COMPENDIUM: The City Manager submitted a communication advising that in developing the budget for Fiscal Year 2002-03, City departments were asked to reduce their budgets to help make up for the losses in state aid and find ways to re-engineer services to generate cost savings for their departments; and departments were also asked to look at their fee structures and, where feasible, propose fee schedule changes that maintain fee uniformity between Roanoke and other localities, while recovering the cost of providing services.

It was further advised that the recommended Fiscal Year 2002-03 budget incorporates a number of proposed fee structure changes recommended by the Department of Planning Building and Development, Fire-Emergency Medical Services, Solid Waste Management, and the Water Department, which proposed changes are reflected in budget ordinances presented for adoption for fiscal year 2002-03.

Fire-EMS Fees:

Based on the results of a recent cost audit, the Fire-EMS Department has recommended changes to fire safety inspection fees, fireworks and bonfire permits and system false alarm fees; fire safety inspections are performed to ensure the safety of the building occupants and the general public; routine fire safety inspections are performed free of charge; however, a fee is charged whenever a re-inspection is required to ensure corrections of safety violations; and adjustments to the fee schedule will enable the department to improve services and maintain fee uniformity between the City and its surrounding localities.

The revised permit fee schedule also allows Fire-EMS to recover costs associated with the enforcement of the fireworks and bonfire permits; a permit is required for firework displays and a bond may be required for a bonfire; an Assistant Fire Marshal, who may also conduct an on-site inspection, reviews each fireworks permit application; and Fire-EMS also has personnel on standby at bonfire events to ensure proper extinguishments.

A revised fee schedule is also recommended for system false alarms; and after conducting an analysis throughout the State of Virginia, Fire-EMS has developed the revised fee schedule in an attempt to encourage building owners to be more proactive in repairing system malfunctions, resulting in less repeat alarms from automatic electronic alarm systems.

Solid Waste Management

The current solid waste management fee structure for commercial and central business district customers generates \$40,000.00 to \$50,000.00 in annual revenue for a service that costs over \$300,000.00 for the City to provide; in an effort to be more representative of the cost of the solid waste collection services provided for commercial and central business district customers, a revised commercial collection fee is being recommended; this proposed fee structure would provide businesses one free collection per week, charge for additional collections, and partially recover the cost of additional pickups; and these businesses would then be provided a similar level of “free” service as residential customers.

Elevator Inspection Fees

After completing benchmarking with other localities and a review of estimated labor costs for conducting elevator inspections, the Department of Planning, Building and Development is recommending that the City discontinue providing elevator inspections; many other localities in the surrounding areas have already moved away from providing this service due to rising insurance costs related to the liability associated with certifying the inspection; this new system would require private building owners to have elevator inspections performed by approved outside agencies or individuals – an elevator inspection permit will be issued authorizing this inspection; a certificate of inspection prepared by the inspector will be submitted to the department, as verification of inspection and a database will be established to monitor compliance with state mandates; and city inspection staff would continue to inspect elevators in city-owned buildings.

Water Division Carvins Cove

With the rising recreational use of Carvins Cove, the Water Department is recommending several new fees for FY 2003 to offset increased maintenance costs related to increased usage; a new fee is recommended for all uses of the Carvins Cove facility, including hiking, biking, bank fishing, picnicking, horseback riding, and bird watching; and the new fee structure will enhance the vitality of the widely used natural reserve and reflect the actual cost of providing boat launch and boat rental services.

The City Manager recommended that Council adopt a resolution and amend the City's Fee Compendium to reflect the changes in various fees.

Mr. Carder offered the following resolution:

(#35861-051302) A RESOLUTION amending certain fees and charges with regard to fire safety reinspections, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 34.)

Mr. Carder moved the adoption of Resolution No. 35861-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FIRE DEPARTMENT-SPECIAL PERMITS-FEE COMPENDIUM:
Mr. Carder offered the following resolution amending certain fees and charges with regard to fireworks and bonfire permits, amending the Fee Compendium, effective July 1, 2002.

(#35862-051302) A RESOLUTION amending certain fees and charges with regard to fireworks and bonfire permits, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 35.)

Mr. Carder moved the adoption of Resolution No. 35862-051302. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FIRE DEPARTMENT-FEE COMPENDIUM: Mr. Carder offered the following resolution amending certain fees and charges with regard to fire system false alarms, and amending the Fee Compendium, effective July 1, 2002.

Mr. Carder offered the following resolution:

(#35863-051302) A RESOLUTION amending certain fees and charges with regard to fire system false alarms, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 36.)

Mr. Carder moved the adoption of Resolution No. 35863-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-REFUSE COLLECTION-FEE COMPENDIUM: Mr. Carder offered the following resolution amending certain fees and charges with regard to refuse collection service for the Central Business District and Commercial Districts outside the Central Business District, and amending the Fee Compendium, as follows, effective July 1, 2002:

<u>Central Business District</u>	<u>Monthly Fees</u>
Restaurant/Office/Financial	\$50.00
Specialty Retail/Health/Church/ Nonprofit	\$30.00
<u>Commercial Districts outside the Central Business District</u>	<u>Monthly Fees</u>
Restaurant/Office/Financial	\$10.00
Specialty Retail/Health/Church/Nonprofit	\$10.00

(#35864-051302) A RESOLUTION amending certain fees and charges with regard to refuse collection service for the Central Business District and Commercial Districts outside the Central Business District, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 37.)

Mr. Carder moved the adoption of Resolution No. 35864-051302. The motion was seconded by Mr. Bestpitch .

Vice-Mayor Carder advised that there are questions in regard to how the refuse collection fees will apply to larger offices versus smaller offices in the Central Business District, whereupon, the City Manager advised that between now and July 1, individual contacts will be made with downtown business owners. She stated that if a small business can place all of their trash in one toter, they will be entitled to the same once per week free collection that residents currently receive. She added that there are approximately 700 businesses in the Central Business District and staff will contact each business owner to set up the appropriate arrangement. She called attention to a trash compactor pilot program for downtown Roanoke which will allow businesses to compact garbage, and, over time, it is hoped that some businesses will not be subject to the fee schedule. She stated that the City's interest lies in ensuring that there is equity in the cost of refuse collection.

Resolution No. 35864-051302 was adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

**NAYS: None-----0.
(Council Member Wyatt was absent.)**

BUDGET-SPECIAL PERMITS-EQUIPMENT-ELEVATOR PERMITS: Mr. Carder offered the following resolution establishing a new fee and charge of \$25.00 with regard to elevator permits, and amending the Fee Compendium, effective July 1, 2002:

(#35865-051302) A RESOLUTION establishing a certain new fee and charge with regard to elevator permits, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 38.)

Mr. Carder moved the adoption of Resolution No. 35865-051302. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FEE COMPENDIUM-WATER RESOURCES: Mr. Carder offered the following resolution amending certain fees and charges, and establishing certain new user fees and charges, in connection with use of the Carvins Cove Natural Reserve, and amending the Fee Compendium, as follows, effective July 1, 2002:

Service Charge:

Boat Launch Fees

Annual Permits

w/o motor - \$75.00
< 10 hp motor \$90.00

Daily Permits

w/o motor - \$5.00
< 10 hp motor \$9.00

Boat Rental:

14' Boats \$ 4.00 per hr.
\$ 8.00 (1/2 day - 5 hrs.)
\$14.00 per day
12' Boats \$ 3.00 per hr.
\$ 7.00 (1/2 day - 5 hrs.)
\$13.00 per day

Inspection Fees for Privately Owned Motors:

Electric \$1.00
Gasoline \$2.00

2. New user fees for all uses of the facility, with the exception of boating, charged at Carvins Cove Natural Reserve:

Service Charge:

Annual Permits per person \$30.00 (non-Roanoke City Residents)
\$15.00 (Roanoke City Residents)

Daily Permits Per Person \$ 2.00 (non-Roanoke City Residents)
\$ 1.00 (Roanoke City Residents)

(#35866-051302) A RESOLUTION amending certain fees and charges, establishing certain new user fees and charges, in connection with use of Carvins Cove Natural Reserve, amending the Fee Compendium, and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 66, page 38.)

Mr. Carder moved the adoption of Resolution No. 35866-051302. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-FEE COMPENDIUM-EROSION/SEDIMENT CONTROL: Mr. Carder offered the following ordinance amending the fee for review of erosion and sediment control plans, and amending the Fee Compendium, effective July 1, 2002, as follows:

Review of erosion and sediment control plan	\$100.00,
	Plus \$50.00 per acre,
	or any portion thereof

(#35867-051302) AN ORDINANCE amending the fee for review of erosion and sediment control plans, amending the Fee Compendium, dispensing with the second reading of this ordinance, and providing for an effective date.

(For full text of Ordinance, see Ordinance Book No. 66, page 40.)

Mr. Carder moved the adoption of Ordinance No. 35867-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

BUDGET-CITY EMPLOYEES-PENSIONS: The City Manager and the Director of Finance submitted a joint communication advising that eligible members of the City of Roanoke Pension Plan received a 3.0% cost-of-living adjustment (COLA) on July 1, 2001, which was the seventh consecutive COLA provided to eligible retirees; and following discussions with other municipal retirement systems, it is recommended, effective July 1, 2002, and payable on July 31, 2002, that a 2.6%

increase be provided to a member's or surviving spouse's annual retirement allowance; the increase does not apply to any incentive payments made under the Voluntary Retirement Incentive Program established by Ordinance No. 30473-41591, adopted April 15, 1991, or to the retirement supplement established by Ordinance No. 35327-050701, adopted May 7, 2001; and the increase applies to those retirees who retired on or before July 1, 2001.

It was explained that approximately 1,392 of the 1,454 retirees, or 96% of those receiving benefits as of April 30, 2002, will be eligible for the increase; average annual increase in retirement allowance is \$259.00, costing the pension fund an additional \$360,182.00 annually; actuarial cost of a 2.6% permanent COLA is estimated at \$3.2 million to be funded over the next 20 years through the annual payroll contribution rate; and all City operation funds, along with the Roanoke Valley Airport Commission, School Board, Roanoke Valley Resource Authority, Roanoke Valley Detention Commission, and the Commonwealth of Virginia will assume their pro rata share of cost for funding the COLA.

The City Manager and the Director of Finance recommended that Council adopt an ordinance granting a 2.6% cost of living raise for qualified retirees, effective July 1, 2002, and payable on July 31, 2002.

Mr. Carder offered the following emergency ordinance:

(#35868-051302) AN ORDINANCE providing for certain supplemental benefits under the City of Roanoke Pension Plan to certain members of such Plan and certain of their surviving spouses; providing for an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 66, page 41.)

Mr. Carder moved the adoption of Ordinance No. 35868-051302. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

ACTS OF ACKNOWLEDGEMENT: Mr. Harris introduced a resolution paying tribute to the town and the townspeople of Crescent City, Florida, who, on Thursday, April 18, 2002, assisted passengers on an Amtrak Auto Train carrying 452 people which derailed just south of Crescent City, Florida, killing four and injuring many. He advised that Mr. William B. Robertson, founder of Camp Virginia Jaycee, Inc., in Blue Ridge, Virginia, and a friend to City Council, was one of the passengers injured;

and residents, merchants and students of Crescent City responded en masse to the scene of the crash, by offering comfort, relief and aid to Mr. Robertson and to the other victims in their hour of need.

Mr. Harris offered the following resolution:

(#35869-051302) A RESOLUTION paying tribute to the town and the townspeople of Crescent City, Florida.

(For full text of Resolution, see Resolution Book No. 66, page 43.)

Mr. Harris moved the adoption of Resolution No. 35869-051302. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, White, Carder, Hudson, Harris and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Wyatt was absent.)

There being no further business, the Mayor declared the special meeting adjourned at 3:05 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor